

**United States District Court
for the
Northern District of New York
Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Algernon Lovell Case Number: 5:99CR00263 & 5:00CR00037
Name of Sentencing Judicial Officer: Honorable Frederick J. Scullin, Jr., Chief U.S. District Judge
Date of Original Sentence: May 23, 2000
Original Offense: Distribution of Cocaine Base; Possession with Intent to Distribute:
21 U.S.C. §841(a)(1)
Violation: New criminal conduct, leaving the district without permission, failure to notify the
probation of address change, use of controlled substances, failure to participate with
substance abuse treatment and failure to report for drug testing
Original Sentence: Sixty months imprisonment and three years supervised release
Violation #1: Four months imprisonment and 32 months of supervised release
Violation #2: Three months imprisonment and 29 months supervised release
Type of Supervision: Supervised Release Date Supervision Commenced: 9/24/2004
Asst. U.S. Attorney: John Duncan Defense Attorney: Lisa Peebles

PETITIONING THE COURT

[] To issue a warrant
[X] To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1. ✓ Standard Condition #2: The defendant shall report to the probation officer as directed.
On August 18, 2006, the defendant failed to report to the U.S. Probation Office as directed. On September 5, 2006, the defendant failed to report by telephone as directed. This information is based on the personal knowledge of the Probation Officer. (Grade C violation)
2. Standard Condition #3: The defendant shall follow the instructions of the Probation Officer. The defendant failed to follow the instructions of the Probation Office to secure a new residence and advise the probation office of the new residence by September 5, 2006, as he was not eligible to reside at his current address. This information is based on the personal knowledge of the Probation Officer. (Grade C violation)
3. Standard Condition #7: The defendant shall not purchase, possess, use, distribute or administer any controlled substance. On July 28, 2006, the defendant tested positive for marijuana and admitted he used the substance on or about July 17, 2006. On August 14, 2006, the defendant tested positive for marijuana, reportedly from his use on or about July 17, 2006. On August 21, 2006, the defendant tested positive for marijuana and admitted he used the substance on or about August 17, 2006. On August 24, 2006, the defendant tested positive for marijuana and denied any use since August 17, 2006. This information is based on the personal knowledge of the Probation Officer and information received from Scientific Testing Laboratories, Inc. (Grade C violation)

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4. Special Condition #1: The defendant shall participate in a program for substance abuse which shall include testing for drug and/or alcohol use. On August 30, 2006, the defendant failed to call the random drug testing program as directed and failed to report for random drug testing as directed. This information is based on the personal knowledge of the Probation Officer. (Grade C violation)

U.S. Probation Officer Recommendation:

The term of supervision should be:

- ☒ Revoked
☐ Extended for year(s), for a total term of years.

- ☐ The conditions of supervision should be modified as follows:

Respectfully submitted,

Reviewed By:

by



TIMOTHY R. KEOHANE
Supervising U.S. Probation Officer

PAUL W. DeFELICE
Chief U.S. Probation Officer



SCOTT R. SHANAHAN
U.S. Probation Officer
Date: September 11, 2006

THE COURT ORDERS

- ☐ No Action
☒ **The Issuance of a Summons**
☐ Other
☐ The Issuance of a Warrant. This petition and all documents attached hereto are **SEALED** until such time as the warrant generated by this petition is returned executed.

The District Court Clerk's Office is hereby **ORDERED NOT** to serve a copy of this petition or any of the attached documents upon anyone EXCEPT that a copy is to be served upon law enforcement personnel. Copies shall be served upon the unsealing of the petition.



Signature of Judicial Officer

9/18/06

Date